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| APPLICATION NO.           | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---------------------------|-------------|----------------------|---------------------|------------------|
| 10/075,964                | 02/13/2002  | Duncan Kerr          | APL1P215/P2698      | 9251             |
| 22434                     | 7590        | 02/08/2006           | EXAMINER            |                  |
| BEYER WEAVER & THOMAS LLP |             |                      | TON, ANABEL         |                  |
| P.O. BOX 70250            |             |                      | ART UNIT            |                  |
| OAKLAND, CA 94612-0250    |             |                      | PAPER NUMBER        |                  |
|                           |             |                      | 2875                |                  |

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/075,964

Applicant(s)

KERR, DUNCAN

Examiner

Anabel M. Ton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 23 November 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,4-11,13-20,22-31,34-51,56-74 and 76 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1,4-11,13-20,22-31,36-51 and 56-65 is/are allowed.
- 6) ☒ Claim(s) 34,35,66-69 and 73 is/are rejected.
- 7) ☒ Claim(s) 70-72,74 and 76 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 11/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. The indicated allowability of claims 34,35,66-69,73 is withdrawn in view of the newly discovered reference(s) to an illuminable computer system housing. Rejections based on the newly cited reference(s) follow.

#### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 34,35,66-69,73 are rejected under 35 U.S.C. 102(b) as being anticipated by Mueller et al (6,016,038).

4. Mueller discloses a light source (figs 1,2) disposed inside the housing (10) the light source being configured to generate light the light source not being the display and a light controller (400) operatively coupled to the light source the light source controller being configured to control the light source so as to illuminate at least apportion o the light passing wall of the housing with the light generated by the housing with the light generated by the light source the light source being dedicated to illuminating the light passing wall( col. 8 lines 21-59); a computing device comprising an enclosure having an illuminable wall in optical communication with a light source disposed inside the enclosure and a control means for varying a characteristic or attribute of the light generated by the light source the illuminable wall and the light source working together

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to emit a characteristic glow(a single uniform frequency of light) at a peripheral portion of the enclosure (col. 8 lines 6-33); the enclosure (10) defines an outer peripheral wall of the computing device, the illuminable wall is formed of a translucent material (col. 8 lines 30-33), the wall includes a light directing element configured to scatter light from the light source the scattering light helping toe form a characteristic glow (diffuser, col. 8 lines 30-33); the characteristic glows is formed at an outer surface of the illuminable wall (light is transmitted through wall/diffuser including the outer surface)

***Allowable Subject Matter***

5. Claims 1,4-11,13-20,22-31,36-51,56-65 are allowed.
6. Claims 70-72,74,76 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
7. The following is a statement of reasons for the indication of allowable subject matter: The reasons can be found in the previous office actions.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

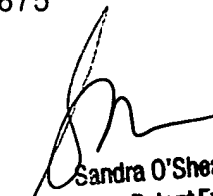
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anabel M Ton  
Examiner  
Art Unit 2875

AMT



Sandra O'Shea  
Supervisory Patent Examiner  
Technology Center 2800